

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CIVIL ACTION NO. 1:09cv353 (WOB-MRM)

THOMAS BARTON

PETITIONER

VS.

ORDER

PHILLIP KERNS, Warden,  
Southern Ohio Correctional  
Facility

RESPONDENT

This matter is before the Court on the Report and Recommendation of the assigned United States Magistrate Judge (Doc. 65), and there being no objections thereto, and the Court being sufficiently advised,

**IT IS ORDERED** that the Report and Recommendation (Doc. 65) be, and it hereby is, **adopted** as the finding of fact and conclusions of law of this Court; that this case be, and it hereby is, **DISMISSED AS MOOT**.

This 25th day of October, 2016.



Signed By:

William O. Bertelsman WOB

United States District Judge